**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE**

**MONDAY, THE 27TH NOVEMBER 2006 / 6TH AGRAHAYANA 1928**

**WP(C).No. 31290 of 2006(Y)**
**----------**

**PETITIONERS:**
**----------**

1. **K.V.PAUL, S/O.K.G.VARGHESE,**
   **AGED 48 YEARS, CONDUCTOR GR.II, KSRTC,**
   **CHALAKUDY AND RESIDING AT KALLINGAL HOUSE,**
   **WEST CHALAKUDY, CHALAKUDY P.O., THRISSUR.**

2. **T.X.GEORGE, S/O.XAVIER,**
   **AGED 53 YEARS, CONDUCTOR GR.II, KSRTC,**
   **CHALAKUDY AND RESIDING AT THANIPPILLIL HOUSE,**
   **VELLIKULANGARA P.O., THRISSUR.**

3. **R.A.VARGHESE, S/O.R.V.ANTONY,**
   **AGED 47 YEARS, CONDUCTOR GR.II, KSRTC,**
   **CHALAKUDY AND RESIDING AT RAJAPPAN HOUSE,**
   **NJELLOOR, KALLOOR P.O., THRISSUR.**

4. **E.O.GEORGE, S/O.E.P.OUSEPH,**
   **AGED 48 YEARS, CONDUCTOR GR.II, KSRTC,**
   **CHALAKUDY AND RESIDING AT EDATHIPARAMBAN HOUSE,**
   **VALOOR, CHERUVALOOR P.O., KORATTI (VIA),**
   **THRISSUR.**

5. **K.V.GEORGE, S/O.K.M.VAREED,**
   **AGED 52 YEARS, CONDUCTOR GR.II, KSRTC,**
   **CHALAKUDY AND RESIDING AT KOORAN HOUSE,**
   **KORATTY SOUTH P.O., THRISSUR.**

6. **GEORGE JACOB, S/O.JACOB,**
   **AGED 47 YEARS, CONDUCTOR GR.II, KSRTC,**
   **CHALAKUDY AND RESIDING AT VARIKKATTUMOLEL,**
   **KUTTICHIRA P.O., CHALAKUDY.**

7. **K.A.MOHAMMED ANSARI, S/O.LATE**
   **ABDUL RAHIM, AGED 51 YEARS, CONDUCTOR GR.II,**
   **KSRTC, CHALAKUDY AND RESIDING AT PALAYAMKOTT**
   **HOUSE, KUNDUPADAM ROAD, KALLETTUMKARA P.O.,**
   **THRISSUR.**

**8. C.SUKUMARAN, S/O.ESWARAN NAIR,
AGED 54 YEARS, CONDUCTOR GR.II, KSRTC,
CHALAKUDY AND RESIDING AT THEKKECHITTATTIL
HOUSE, THYCATTUSERY P.O., EDAKKUNNI, OLLUR VIA,
THRISSUR.**

**9. K.PURUSHOTHAMAN, S/O.BHASKARA
PANICKER, AGED 54 YEARS, CONDUCTOR GR.II,
KSRTC, CHALAKUDY AND RESIDING AT KANNAMPALATH
HOUSE, KATHIKUDAM P.O., KORATTY, THRISSUR.**

**BY ADV. SRI.N.UNNIKRISHNAN
SMT.SONIA JOSEPH**

**RESPONDENTS:**
**----------**

**1. THE KERALA STATE ROAD TRANSPORT
CORPORATION, TRANSPORT BHAVAN, FORT,
THIRUVANANTHAPURAM, REP. BY MANAGING DIRECTOR.**

**2. THE ASSISTANT TRANSPORT OFFICER,
KSRTC, CHALAKKUDY.**

**BY SRI.K.PRABHAKARAN, SC, KSRTC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**PIUS C.KURIAKOSE,J.**

**W.P.(C) NO.31290 OF 2006**

**Dated this the 27th day of November, 2006**

**J U D G M E N T**

Sri.K.Prabhakaran, standing counsel takes notice on behalf of the respondents. The prayer in this writ petition is that the provisional service rendered by the petitioners prior to regularization of service is to be reckoned with for pension, weightage and pensionary benefits.

2. The issue is directly covered by the judgment of this court in **Idicula Abraham v. KSRTC and Others (2005(2) KLJ 602).** Writ petition therefore will stand allowed.

3. There will be a declaration that the provisional services rendered by the petitioners prior to their regularization in service is to be reckoned with for commutation of pension and other pensionary benefits.

4. In view of the above declaration, there will be a direction to the respondents to issue necessary orders counting provisional service rendered by the petitioners prior to their regularization for the purpose of pension, weightage and pensionary benefits. All monetary benefits arising out of the

above declaration/direction will be released to the petitioner as and when they become due.

**PIUS C.KURIAKOSE, JUDGE**

Rp